25. An act for the division of Queen-Anne's county into

election districts. 26. A supplement to the act, entitled, an act for the opening of Ensor-street in the city of Baltimore.

27. An act for the relief of Francina Matthews, of Cecil

28. An act to revive an act passed at November session 1811, chapter 153, and to repeal an act passed at De-cember session 1826, chapter 141, concerning the town of Salisbury in Somerset and Worcester counties.

29. A supplement to the act, entitled, an act for the more effectual protection of public worship in this state, passed at December session 1821, chapter 53.

30. An act to authorise Joshua W. Massey, of Queen-Anne's county, to convey the land therein mentioned.

31. An act to authorise the building a bridge across the south branch of the Patapsco river, from a point on the land of Richard Cromwell, to a point on the opposite shore, or

the land of William Krebs. 32. An act relating to the county tax in the city of Balti

53. An act to provide for the valuation and condemnation of water at the mouth of Windsor's creek, in Somerset county, for the erection and establishment of a tide mill.

31. An act for the preservation of the navigation of the rivers Transquakin and Chicknamacomico, in Dorchester

An act supplementary to an act, entitled, an act for the distribution of a certain fund for the purpose of establishing free schools in the several counties therein named, passed at December session 1816.

36. An act to alter the present mode of appointing the justices of the levy court of Dorchester county, so that each election district may have one member.

37. A further additional supplement to the act concerning crimes and punishments.

and penishments.

38. An act for re-establishing a road and landing at a place commonly called The Ship Yard, in Kent county.

29. An act to empower the levy court of Kent county to this state.

grant relief to indigent persons of said county. 40. An act to fix the compensation of supervisors of the

public roads in Prince George's county.

41. A supplement to the act, entitled, an act for the benefit of the infant children of Benjamin B. Wroth, late of the 190.

Kent county, deceased, passed December session 1825, chap-42. An act to provide for the making the several turn-

pike roads, and for the extension of the charters of the several banks therein mentioned.

43. An additional supplement to an act, entitled, an act for the distribution of a certain fund for the purpose of establishing free schools in the several counties therein mentioned. 44. An act to authorise the several courts in this state to

appoint surveyors in certain cases. 45 An act to promote education in Frederick.

46. An additional supplement to an act, entitled, an act for the establishment and support of public free schools, in the first election district of Baltimore county.

47. An additional supplement to an act, entitled, an act respecting the equity jurisdiction of the county courts of this 48. An act to make valid a certain deed of manumission.

49. An act to relieve the Baltimore and Havre-de-Grace Turnpike Company from paying the levy court of Harford county for a county road.

50. An act to alier and repeal all such parts of the constitution and form of government of this state as relate to the division of 'V coster county into election districts.

remeal an act to declare certain trespasses for other somposes, passed at December session v 860, 80 tar as it relates to Calvert and Balti

or indicate on a act cathled, an act authorising the and at Contraction, in Configurate, to purchase mond at art and only seed one ementioned.

51. An act to incorporate the Elkton and Susquehanna Brelge Turapike Company.

55. An act for the revaluation of the real and personal

property in Calvert county.

56. A supplement to an act, entitled, an act to amend and reduce into one the several acts of assembly relating to the

public roads in Worcester county, passed at December session 1821, chapter 110. 57. An act to divorce Augustus J. T. Geraud, and Mary

Ann his wife, of the city of Baltimore.

58. An act to provide for condemning and opening an alley in the city of Baltimore as a public highway.

59. A supplement to an act, entitled, an act to incorpo-

rate a society for the maintenance and education of poor female children, by the name of The Benevolent Society of the city and county of Baltimore, passed at November session 1799, chapter forty-four.

Receipt, to the Farmers and Mechanics Bank of Frederick city, and state, in the city of Baltimore, for the use and benecounty, and to locate said bank at Frederick city, with a fit of the several proprietors of the said wharves respectivebranch at Westminster.

61. An act further to amend the act incorporating the Chesapeake and Ohio Canal Company.

62. An additional supplement to the act, entitled, an act

concerning crimes and punishments, passed at November

63. An act for the benefit of William W. Whittington Charlotte Whittington, John R. Whittington, and Robert H. Whittington, the infant children and heirs at law and representatives of William Whittington, late of Worcester county, deceased:

64. An act to extend to Worcester county the provisions of the act of assembly, entitled, an act to declare certain trespasses felony, and for other purposes.

65. An act authorising Thomas J. Mann to convey certain lands to David Webb, and Mary his wife.

66. An act to incorporate the Lanvale Manufacturing

Company.
67. An act respecting Naturalization.

144

68. An additional supplement to the act, entitled, an act for founding an university in the city or precincts of Balti-more, by the name of The University of Maryland.

69. An act to incorporate the Neptune Insurance Compa

70. A further additional supplement to the act, entitled, an act for the relief of sundry insolvent debtors.

Newcomer. ...

Rail Road Company.

73. A supplement to an act, entitled, an act for the benefit of Alfred H. Dashiell, and others, of the city of Baltimore, passed at December session 1826, chapter 163.

74. An act for the relief of Aquilla Beall, clerk of Prince-

George's county.

75. An act to incorporate The Female Penitents' Refuge n the city of Baltimore.

76. A supplement to an act, entitled, an act for draining

the right prong of a branch in Queen Anne's county, known by the name of The Andover Branch. 77. An act for the revaluation of the real and personal

property in Kent county. 78. An act for the relief of Thomas D. Singleton.

79. An act to change the place of holding elections for vestrymen and churchwardens and the regular meetings of the vestry of Somerset Parish, in Somerset county. 80. An additional supplement to an act, entitled, an act relating to the city of Baltimore.

81. An act to provide for electing commissioners for Harford county, and prescribing their powers and duties.

82. An act to open and lay out certain streets, lanes and

alleys, in Westminster, Frederick county 83 An act to settle and determine the compensation of judges and clerks of elections in Baltimore county.

84. An act for the appointment of trustees for the sale of the real estate of Thomas Gorsuch, late of Baltimore county. 85. A further supplement to the act for the recovery of small debts out of court, and to repeal the acts of assembly

therein mentioned.

85. An act to incorporate the Westminster Savings Insti-87. An act to continue in force, an act passed at Decem-

ber session 1823, chapter 185, entitled, an act to repair the highways and bridges in certain parts of the city of Baltimore, and for other purposes. 88 An act for the relief of Gabriel Isaacs, an insolven

debtor of the city of Baltimore.

89. An act to establish an Academy in the town of Den

ton, in Caroline county.

90. An act to authorise George Parker, senr. of Somerset county, to remove a negro boy from the state of Delaware to

91. An act relative to the Inspection of Tobacco. 92. A further supplement to the act, entitled, an act to incorporate a company to make the several turnpike roads herein mentioned, passed at December session 1815, chap-

93. An act for the opening and extension of Lombard treet in the city of Baltimore.

The Speaker, (attended by the other members of the nouse of delegates, and their clerk,) returned, and resumed

the chair. Whereupon, on motion, the house then adjourned until to-morrow morning nine o'clock.

## SATURDAY, March 1, 1828.

Mr. Shower presented the petition of a number of the inhabipassed at December session 1825. to appoint a commissioner to pen a road from Westminster, in Frederick county, to the city of Washington; which was referred to a select committee, consistence of the control of the city of

At Washington; which was referred to a select committee, consisting of Messrs. Shower, Turner and Ely.

Mr Sellman presented the petition of sundry voters of the second election district, in Anne-Arundel county, praying for a law, to change the place of holding elections in said district; which was referred to a select committee, consisting of Messrs.

Sellman, Stewart of Anne-Arundel, and Linthicum. sellman, Stewart of Anne-Arundel, and Linthicum.

Mr. Sievart, of Anne-Arundel, presented the memorial of Ann Crandell, widow of George Crandell, of Anne-Arundel ounty, representing, that, with two small children, she is en-tirely dependant on the charity of the world for the necessary us enance of life, is in a helpless condition, and without an means of support; and praying, that she may be put on the out pension list for said county; which was referred to the standing ommittee for the pecuniary relief of indigent persons by county

Mr. Donoho submitted the following resolution for considera

Resolved, by the general assembly of Maryland, That it shall be the duty of the harbour master, of the western disrice of the city of Baltimore, to collect wharfage on the state's wharves in the said city, and to pay over the same to the order of the treasurer of the western shore, under the ike restrictions, obligations and regulations as are required by the existing ordinances of the city of Baltimore.

Which was read, and, on motion by Mr. Donoho, it was or-

lered, that the same be referred to the consideration of the com

mittee on ways and means.
On motion by Mr. Thomas, of Cecil, it was further ordered, That the said committee be instructed to ascertain, if possible, whether any person has been collecting said whatfages, his name, by what authority he has collected, and what he has done with he amounts of wharfages collected, and to report thereon to this

On motion by Mr. Teackle, it was Ordered, That the committee on ways and means, be instructed to inquire into the expediency of authorising the 60. A supplement to the act, entitled, an act to change the rollection of wharfage, upon all commodities landed, or stored, names of the Bank of Westminster and Office of Pay and upon, or shipped from, wharves belonging to individuals, the

Mr. Watkins, offered the following resolutions for consideration; which were read the first time, and ordered to lie

on the table, viz.

Resolved, by the General Assembly of Maryland, That the governor and council be and they are hereby authorised and required, to employ counsel on the part of the state, to aid in the prosecution of the suit now pending in Anne Arundel county court—The state against the late Registers in Chancery.

Resolved: That the treasurer of the western shore, be and he is breake authorised. In any to the order of the governor and

is hereby authorised, to pay to the order of the governor and council, such sum as they may deem sufficient to compensate such counsel.

Mr. Hitch, from the committee on education, delivered the following report; which was read the first time, and or

dered to lie on the table, viz.

The committee on education, to which was referred the petition of sundry inhabitants of Harford county, praying a change in the act of 1825 relative to primary schools, have had the same under consideration, and beg leave to offer the

following report: The petition, very properly, presents the importance of primary schools as calculated to promote the best interests of the state, and as the surest guarantee of public liberty, the advancement of personal respectability, independence and happiness, but express a belief that the law of 1825 is not adapted to the circumstances of the state, and particularly to their county. They assign their reasons for this 71. An act authorising the recording a deed from Daniel larly to their county. They assign their recording a deed from Daniel opinion, and their views upon a system suited to the object opinion, late sheriff of Washington county, to Emanuel of educating the poor, increasing the faculties of all classes

72. An est to incorporate the Baltimore and Susquehanna to obtain a common education, and the present general

ability to support such a system.

1. They object to the office of superintendant; and allege that the duties assigned to that officer can never be formed by any one man; and pronounce their preference in relying upon the delegates from the different counties as better resource for obtaining the necessary information upon this subject

2. They also object to the appointments by the levy courts f persons to lay off their counties into school districts of five miles square, as they think the districts too large, and suggest the appointment of two officers, one for the eastern and one for the western shore, to be associated with two others, practical surveyors, making a commission of three for each shore, whose duty it should be, to survey and lay off their respective shores into districts of 4 or 43 miles square, without regard to county lines or fractional parts of the same district being in different counties. The funds for such fractions to be supplied by the county in which it should lay, in proportion to the children therein, &c. They proceed to detail the mode of effecting the proposed survey of

the whole state.

3. The petitioners propose, that the burden of building, sup plying and repairing, the school-houses, should fall on those most convenient, to wit: Those within one mile to pay one half of the expense, and those within one and two miles the other half. In other research half. In other respects their suggestions upon this head are, substantially, the same as those of the act in question.

Upon these objections and propositions the committee submit the following remarks:

1. They dissent from the opinion expressed by the petitioners

with respect to the office of superintendant. And in supported their dissent, they adduce the practice and experience of other states, in which the interests of education have been advanced to an eminent degree of improvement under the direction of such an officer; and in no country has there ever existed a great

such an officer; and in no country has there ever existed a great scheme of public instruction, without an efficient head to that they should examine the same, and indispensably essential to its successful and beneficial operation.

2. With reference to the supposed requisition of laying officient papers could be supplied in the countries into school districts of five miles square, the petitioners are without a proper understanding of the laws in that particular, as no such provision is to be found in it: on the contrary, the districts are required to be made suitable and convergence to the case to which the call in deficient papers could be supplied, reporting upon the nature of the tions, which these papers disclose, not of the commissioners; to be enlarged or diminished as the population may be sparse or concentrated; and rather than incur population may be sparse or concentrated; and rather than incur he great and oppressive charge of a general survey and subdi-ision of the whole state into squares or sections, the committee would adopt the more economical, and more simple course pre-scribed by the superintendant in his instructions to the commisscinces of primary schools, in which he says—"it will naturally occur to you, that the square will not be the most suitable or convenient form; and that in the absence of more palpable boundaries such as have size of the says and the says are the says daries, such as bays, rivers, creeks, mountains, or remarkable hills, roads, established fences, or other lines of demarcation. the most eligible marks of description was be the different dwellings or places of public worship, or other houses; and distinguishing from house to house, around the school house as a common centre, reserving always that every dwelling, without the line, which may have been omitted, or overlooked, and all such as may thereafter be erected, during the continuance of the district, shall of right, belong to the nearest school-house. In many cases, however, you will find it necessary to circumscribe a district by its natural limits, such as a small island, on which there may not be a sufficient number of children for the support of a school, and which cannot, conveniently, be attached to any adjacent district; in such cases, as the distribution of the public money will be in proportion to the number of children, it will be necessary, to enable the inhabitants to partake of the benefits of the law, for them to provide the residue of means to complete the salary of their teacher, or to graduate the duration of their school according to the amount distributed to them. And the like necessity will equally occur in every peninsula or long neck of land, or districts of sparse population; but such occurrences the behavior will be found area. the most eligible marks of description mes be the different dwel-

of land, or districts of sparse population; but such occurrence.

of land, or districts of sparse population; but such occurrences it may be hoped, will be found rare."

3. And the committee would prefer that the school-houses should be erected, supplied and repaired, by an equal and equivalent table course of contribution from the districts, as prescribed by the suptle course of contribution from the districts, as prescribed by the suptle course of contribution from the districts, as prescribed by the suptle course of contribution from the districts.

should be erected, supplied and repaired, by an equal and equitable course of contribution from the districts, as prescribed by the act, or from the whole county, as contemplated by the supplement now pending, to an imposition upon those within a limited distance, as proposed by this petition.

The petitioners enlarge in some general observations in which they seem to consider the system as eleemosynary, rather than as an institution for the free diffusion of elementary education to all the youth throughout the state, without distinction or exception—in which character it is to be viewed as calculated to promote the intellectual improvement—to elicit the latent resources, and advance the physical power and respectability of the whole people.

A variety of other suggestions or propositions are comprised in this petition, the most of which the provided for in the act of the first which had been make a the provisions of that act, with the exception of the traction of the content of the concerned in the transcious of the concerned in the transcious of data, there exists a supplying the proposition of the concerned in the transcious of the concerned in the second letter in date is a vernor Blount's of the 24th of Delivation of the concerned we have been expectable to the second letter in date is a vernor Blount's of the 24th of Delivation of the test of the concerned limits to do January 1814, referred and to lead to serious missprelaces and to lead to serious missprelaces to lead to serious missprelaces to lead to serious missprelaces and to l

ion to survey the state, are, in substance, the same as those which seem to be desired by these petitioners.

The committee beg leave to be discharged from the further

onsideration of this reference.

All which is respectfully submitted,

James H. Milbourne, Com. Clk.

Bills of the following titles, were this day severally reported, ther supplement to the act, entitled, An act to regulate and discipline the militia of this state. By Mr. Fitzhugh, from the con

By Mr. Potter, from the committee on ways and means, An ct to abolish all that part of the constitution and form of government, which requires the appointment of a treasurer on the eastern shore. And, An act to abolish all that part of the constitution and form of

overnment, which requires the appointment of a register of the office on the eastern shore, By Mr. Potter, from a select committee, An act to tax all

ravelling show-men, players, slight-of-hand-men, ventriloquists, and jugglers, in this state.

By Mr. Stewart, of Anne-Arundel. An act to protect the

breed of oysters, in the waters of Anne Arundel county. And,
By Mr. Gantt, An act to make valid a certain deed therein nentioned, and for other purposes. Which said bills were severally read the first time, and order

d to lie on the table.

Mr. Thomas, of Cecil, having asked and obtained leave to in-roduce a bill, to be entitled. An additional supplement to the act, entitled. An act authorising the commissioners of Charles town, in Cecil county, to purchase a lot of ground, for the pur-poses therein mentioned, it was, on his motion, ordered, that a select committee of three members be appointed to prepare and report the same. Messrs. Thomas, of Cocil, Mackey and Merer, were appointed the said committee.

On motion by Mr. Mackey, the bill reported by him, en-

titled. An act regulating the service of process by constables, was made the order of the day for Monday next, the third

On motion by Mr. Banning, the following was adopted as an additional rule of the house, viz.

That no bill or resolution shall be allowed to originate in either house, on the two days next preceding the day of closing the session of the legislature.

Waryland Wax ANNAPOLIS:

Thursday, March 6, 182 A CANDIDATE We are authorised to state, BARZILLAI MARRIOTT will ser-elected, as a Delegate to repri Anne-Arundel in the next legals

CONGRESS.-House of Reng TATIVES. TENNESSEE MILITIAN

Mr. Hamilton, from the Committee on tary Affairs, to which the subjection referred, made the follows:

port:
The Committee on Military Affairs, to port:
The Committee on Military Affairs, as
were referred the documents can
cated by the Secretary of War, in
dience to the call of this house,
16th of January, relative to the poings of a Court Martial, which coned its atting at or near Moode, or
5th of December, 1814, for the in
certain Tennessee Militianes, to
with the correspondence betwee
governor of that state and the sec
of War, respecting the length of
in militie drafts of that state, dur
late war, report:
That by the reference of these
place any other construction on you
than, that it was the intention of its
that they should examine the same,

to No. 5. It so happens, that if ter in date is as low down as No

concerned in the transacions of the drafts of Tennessee, which were six months in 1814, by applying the Secretary of Mar, of the uary 1814, to subsequent draft months, instead of those which with 1813, for three months, has indicommittee so to arrange the change of the draft of the secretary of their respective dates. This obn classification being observed, it we ceived, that the letter of the 3d of 1814, has no bearing upon the draining that the governor of Fennessee, of regiment under the command of kin composed a part.

A perusal of the corresponder cited, of the muster rolls of accompanies of Col. Pipkin's rejectively and the proceedings of the Court for was convened "at Mobile on the cember 1814, for the trial of cemessee unittiamen," present upon the following inquiries:

1st. Whether the governor of had the power to order out date the milital of that state for a set tout of service?

the milith of that state for tout of service?

2.11y. Whether Col. Pipkin's was so ordered out, and in cases such authority?

3.11y. Whether the soldiers of ment, who were arraigned forcers and offences before "a Coart Mar convened at Mobile on the States" of the States of the Stat

law
la relation to the first brack
quiry, it will be proper to premit
the 10th of April 1812, in ani
the was about to take place. Cos
the was about to take place. Cos
ed an act, which will be found

described for the militia, when some send stores and stores and stores and stores and stores are the service of the militia, when some send stores are to the act of 1795, which committed the service of the militia, when some send the service of the militia, when some send to the service of the United stores are to the on the United stores and stores are to the service of the United stores and stores are to the service of the United stores and stores are the command of Major General mader the consult of service of the stores and stores and stores and stores are stores and stores are stored when may arise in the militia divisor, which authorises him "to supply, and she was in full force, the Service of the War, Gen. Armstrong, wrote the owners and thou treferring on this head, show and without referring on this head, which may arise in the militia divisor, which may arise in the militia divisor, which may arise in the militia divisor, regions, as he can best judge of the decasion, as he can best judge of the decasion, as he can best judge of the strength of the United stores, or so by peace, to call out such surface, in the stores are stored that the opinion of your committee the stores, or the strength of the United stores are the stores are the stores, the stores are the stor

ke, either for three on six months, as the tenecies of the service should render negary, "without referring on this head," the President for special directions. The deduction they consider irrestable more lawive, and that there was nothing bact of April 18th, 1814, which present the President from expressing his case through general instructions, to here they be a state, whose orders for his first and de jure, be the opinion of the lawive, what such drafts were required to the tenes.

symblic interest?

The inference, your committee more referee, if they thought it necessary as such an investigation, might be used by the contemporary constructions with the state of tipil, 1814, in the actual discretion in the was vested in the Executives of service for the Stutes.

By Your committee are now brought was the survive, whether Col. Pipkin's regreat the minus of the service for six months, and in any was then in waste that this regreat was regularly inspected, and mustered lawrice for six months, to wit: on the minus of service of the minus of service of the service of the service of the service of the service for six months, to wit: on the service of six months, to wit: on the service of the service o

But it a circumstance of public and in-But it is a circumstance of public and indepublic Mooriety, and one which belongs
the bisory of the Country, that Col. Pip
life determent was mustered into serfer turnsly for six months, by virtue of
a mirr of Gov Blount's, dated the 20th
of Mr. 1814; a certified copy of which,
we committee have taken steps 30 prowhat it may be placed on the files of
history, with the documents from the
life property of the property of t

Propartment.
The order recited that the draft was But order recited that the traquisition with the requisition with the requisition of him to foreign and in further. But of the views of Government, by a latimative to him (Gov. Blount) by the We Department, in regard to calls for men has trained the Creeks." This draft was distributed by the call of June, which is recited to the call of June, Department, in regard to caus for men which the first was the Orrecks." This draft was the Missis red to rendezvous on the 10th of June, this time, of Fayetteville, Tennessee; and form, Ghent; and this time, like the provided by the provided b

was not implied sanction of the President incontestibly furnish it.

Whether the soldiers of Col Pipter inginest, who were arraigned for certaining and offences before a Court Market becomber, 1814, were legally tried; and whet the commanding general, approved the proceedings of this Court properly broked the power and discretion vested along the market of Colonel Piptin's regiment, were half to committed in the most commissioned officers and when the most commissioned officers and which it is not committed in the filliary service of the most committed in the filliary service of the most officers for consisted in the services of the most officers for consisted in the services of the most officers which as "the services of the committed in the filliary service of the most officers and the committed in the filliary service of the most officers."

is committed in the military service in the continuity.

In these offences, first, consisted in the cambridge and earsing mistiny;" secondly, is to commission of an actual multipy, actually circumstances of aggravated and make of the public stores; and political first saw of these effences, to wit shape of the continuity of these effences, to wit shape of

punishments
But if all t
tee was about
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own officer these even the power